

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)	
Plaintiff,)	
)	
v.)	No. 07 CR 733
)	Judge Shadur
)	
OLUBUNMI MASHA)	
Defendant.)	

DEFENDANT'S MOTION FOR RELEASE FROM CUSTODY

The defendant, Olubummi Masha, moves the Court, pursuant to the Bail Reform Act of 1984, through her attorney, Scott J. Frankel, for release from custody. In support thereof, the following is stated:

1. On November 6, 2007, a criminal complaint was filed against the defendant in the United States District Court for the Northern District of Georgia, Atlanta Division. Shortly thereafter, the defendant was taken into custody. Defendant appeared before a United States Magistrate in Atlanta, and a detention hearing was held, and the defendant was detained and order removed to the Northern District of Illinois.

2. On December 20, 2007, a three count indictment was filed against the defendant, charging her with violations of federal currency transaction laws and conspiracy. None of the charges against her carries more than a five-year penalty.

3. The defendant has not had a detention hearing in the Northern District of Illinois.

4. The defendant requests the Court release her from custody. The defendant is a United States citizen, as are her two children, ages 9 and 14. Her father, two brothers and a sister

all live in the United States and except for one brother, all of her family members are United States citizens. The defendant has resided in the Atlanta area for ten years, where she maintained employment and owns property. The defendant has a bachelors degree in history, and a masters degree in Industrial and Labor Relations.

5. Currently, the defendant's children are in the care of her neighbor, Steven Olufami, 101 Lighthouse Way, Winder, Georgia. Mr. Olufami has also arranged for the children to continue to attend school without disruption. If the defendant were released, she would be able to reside with Mr. Olufami and her children. She would continue to rent her residential property for income.

6. The Bail Reform Act, 18 U.S.C. §3141 et seq. instructs the Court to release a defendant from custody pending trial unless no conditions or combination of conditions will reasonable assure the appearance of the defendant as required, and assure the safety of any other person and the community. 18 U.S.C. §3141 (e).

7. The defendant presents a clear case for release from custody. She does not pose a risk of flight because of her substantial ties to the community. She is a United States citizen, her family and in particular, her children reside in the United States, and she owns property in the United States.

8. In addition, the defendant does not pose a danger to any individual or the community. She is charged with violating currency reporting laws by structuring cash deposits in increments of less than \$10,000. At the time of the deposits, as the Complaint sets out, the defendant was working at a company called HomeAccess. HomeAccess had a relationship with a Nigerian Company named Omegabank. HomeAccess no longer exists, and Omegabank has

been taken over by Springbank PLC. Therefore, any alleged risk to the community resulting from the defendant's release is *de minimis*.

8. Defendant has no prior arrests or convictions.

9. The rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of the community does not apply in this case. See 18 USC §3142 (e) and (f).

WHEREFORE, for all the foregoing reasons, it is respectfully requested that the defendant be released from custody.

Respectfully submitted,

/s/Scott J. Frankel

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